

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. Based on this information the Department found the petitioner eligible for a 60 percent subsidy for her child care. The petitioner does not dispute that the Department correctly determined her income and applied its guidelines.

She maintains, however, that she is unable to pay her child care provider the difference between the amount charged by the provider and the subsidy she receives from the Department. She takes issue with the fact that the Department's income guidelines do not take her household expenses into account in determining her financial eligibility.

ORDER

The decision of the Department is affirmed.

REASONS

The regulations adopted by the Child Care Services Division base eligibility for and amounts of child care subsidies on gross family income. CCS Regulation 4034. As noted above, the petitioner has been found eligible for a 60 percent child care rate on the basis of her reported gross income.

The Department acknowledges that its day care subsidies are not reflective of the actual costs incurred by working families in obtaining adequate day care. Unfortunately, the program is severely limited by financial constraints. Unless and until the legislature appropriates more funding, the Department cannot liberalize its eligibility guidelines, and

the petitioner is limited by law as to the relief she can obtain from the Board. Inasmuch as the Department's decision in this matter correctly applies its current regulations and policies the Board is bound to affirm that decision. 3

V.S.A. § 3091(d), Fair Hearing Rule No. 1000.4D.

#